

REMARKS

Claims 1-14 and 16-25 were examined by the Office, and in the Office Action of August 23, 2007 all claims are rejected. With this response claims 1, 6-8, 13, 16, 21 and 23-24 are amended. All amendments are fully supported by the specification as originally filed. Support for the amendments can be found at least from page 10, lines 12-14 & 23-24 of the specification.

This response is submitted along with a Request for Continued Examination (RCE). Applicant respectfully requests reconsideration and withdrawal of the objections and rejections in view of the following discussion.

Drawings

In section 1, on page 2 of the Office Action, the drawings are objected to because they fail to show item descriptions as described in the specification. The drawings are objected to because they include reference characters 24 and 26 that are not mentioned in the specification. Applicant respectfully requests that the amendments to the specification made in the response filed October 18, 2007 be entered due to the filing of the RCE with this response. Applicant respectfully requests withdrawal of the objections to the drawings for the reasons set forth in the response filed October 18, 2007.

Claim Rejections Under § 103

In section 4, on page 4 of the Office Action, claims 1-14 and 16-25 are rejected under 35 U.S.C. § 103(a) as unpatentable over Struble (U.S. Patent No. 6,745,253) in view of Focsaneanu et al. (U.S. Patent No. 5,828,666). Applicant respectfully submits that claim 1 is not disclosed or suggested by the cited references, alone or in combination, because the cited references at least fail to disclose or suggest that the connectivity configuration of a software application on the terminal device may be adapted in accordance with obtained properties of a data connection, wherein the connectivity configuration relates to use of the data connection by the software application, as recited in amended claim 1. Furthermore, the cited references fail to disclose or suggest obtaining properties related to at least one of a number of different types of data connections, as recited in claim 1.

Struble is directed to a system and method for locating and using a peripheral device such that a user can wirelessly transmit an initial communication with a computing device, i.e. PDA,

and then wirelessly transmit data to the peripheral device with the computing device. See Struble Abstract. Struble discusses a system in which a computing device (104) can be used to locate and then communicate with peripheral devices, such as printers. Struble is directed to allowing users to use peripheral devices to receive data transmitted from computer devices (104) in order to carry out a particular function for the data, i.e. printing. See Struble column 1, lines 23-28. In Struble, the computing device (104) may include a wireless interface device (206) that allows for data to be wirelessly transmitted or received. The wireless interface device (206) may be adapted for omni-directional communications such as short range radio frequency communications, i.e. Bluetooth. See Struble column 3, lines 6-15. In the Advisory Action of December 13, 2007 the Office asserts that the wireless interface device (206) may be adapted for short range communications, and that this adaptation corresponds to the configuration of applications recited in claim 1. However, in order to clarify that the wireless interface device (206) is not an application within the meaning of claim 1, claim 1 is amended to state that the application is a software application. The wireless interface device is a hardware module, and therefore is not a software application as recited in claim 1. Struble does not mention that software applications of the computing device (104) are in any way affected by the type of short range radio frequency communication used by the computing device (104). Therefore, Struble does not disclose or suggest that the connectivity configurations of software applications on the computing device (104) are adapted based on the type of data connection. Focsaneanu fails to make up for the deficiencies in the teachings of Struble identified above, and therefore the cited references even in combination fail to disclose or suggest all of the limitations recited in claim 1.

Focsaneanu also fails to disclose or suggest obtaining properties related to data connections. Focsaneanu at most discloses that a controller analyzes the contents of a data connection request to identify the services requested. See Focsaneanu column 8, lines 11-16. Analyzing the contents of a data connection request is not the equivalent of obtaining properties of at least one data connection, because only the contents of the request are analyzed.

Furthermore, the Office states that the motivation for combining Struble with Focsaneanu would be the effect of how a person can locate one or more peripheral devices and determine the functional capabilities of the devices so that the person can determine whether he or she wishes to use the devices. However, claim 1 has nothing to do with locating peripheral devices, but is instead directed to obtaining properties of data connections, and adapting applications based on

the properties of the data connections. The motivation offered by the Office for combining the cited references is entirely irrelevant with respect to the present application, because one of skill in the art would not be motivated to modify the cited references for the reason suggested by the Office in order to arrive at the limitations recited in claim 1. Therefore, for at least the reasons discussed above the cited references fail to disclose or suggest all of the limitations recited in claim 1, and claim 1 is patentable over the cited references, alone or in combination.

Claims 2-12 ultimately depend from independent claim 1, and are patentable over the cited references at least in view of their dependencies. Furthermore, with respect to claims 2-5 and 9 contrary to the assertions of the Office, Struble does not disclose or suggest that a property of a connection is an identification thereof. Struble does not disclose or suggest any properties for any of the types of data connections, i.e. Bluetooth or IR, and therefore cannot disclose or suggest that the properties include identifications of the type of data connections. Therefore, for at least these additional reasons, claims 2-5 and 9 are not disclosed or suggested by the cited references.

Independent claim 13 contains limitations similar to those recited in independent claim 1, and is rejected for the same reason as claim 1. Therefore for at least the reasons discussed above in relation to claim 1, claim 13 is not disclosed or suggested by the cited references.

Claim 14 depends from independent claim 13, and is patentable over the cited references at least in view of its dependency.

Independent claim 16 contains limitations similar to those recited in claim 1, and therefore for at least the reasons discussed above in relation to claim 1, claim 16 is not disclosed or suggested by the cited references.

Claims 17-20 ultimately depend from independent claims 16, and are patentable over the cited references at least in view of their dependencies.

Claim 21 contains limitations similar to those recited in claim 13, and therefore for at least the reasons discussed above with respect to claim 13, the cited references not disclose or suggest all of the limitations cited by claim 21.

Claims 22 and 23 ultimately depend from independent claim 21, and are patentable over the cited references at least in view of their dependencies.

Claim 24 contains limitations similar to those recited in claim 16, and therefore for at least the reasons discussed above with respect to claim 16 claim 24 is not disclosed or suggested by the cited references.

Claim 25 depends from claim 24 and is patentable over the cited references at least in view of its dependency.

#### Conclusion

The rejections of the Office Action having been shown to be inapplicable, withdrawal thereof is requested, and passage to issue of the present application is earnestly solicited. The undersigned hereby authorizes the Commissioner to charge Deposit Account 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

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